

01-16-01

GP/1713

Practitioner's Docket No. 5661

PATENT

#2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____

Inventor(s)

JAN 12 2001

for _____

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: John M. Krajnik, Keith R. Olesen, Gerald A. Vandezande

Application No.: 0 9 / 437,171 Group No.: 1713

Filed: 11/9/1999

Examiner:

For: WATERBORNE COATING HAVING IMPROVED CHEMICAL RESISTANCE

Assistant Commissioner for Patents

Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

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JAN 12 2001

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(Information Disclosure Statement [6-1]—page 1 of 4)

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

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NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. Preliminary Statements
2. FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. Statement as to Information Not Found in Patents or Publications
4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. Cumulative Patents or Publications
6. Copies of Listed Information Items Accompanying This Statement
7. Concise Explanation of Non-English Language Listed Information Items
 - 7A. EPO Search Report
 - 7B. English Language Version of EPO Search Report
8. Translation(s) of Non-English Language Documents
9. Concise Explanation of English Language Listed Information Items (Optional)
10. Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

(a) the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

(b) an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

(c) the practitioner who signs below on the basis of the information:

(check each applicable item)

supplied by the inventor(s).
 supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
 in the practitioner's file.

SIGNATURE OF PRACTITIONER

Vivien Y. Tsang

(type or print name of practitioner)

The Sherwin-Williams Company

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.
5661

In Re Application Of: JOHN M. KRAJNIK, KEITH R. OLESEN, GERALD A. VANDEZANDE

Serial No.
09/437,171

Filing Date
11/9/1999

JAN 12 2001

U.S. PATENT & TRADEMARK OFFICE

Examiner

Group Art Unit
1713

Title:

WATERBORNE COATING HAVING IMPROVED CHEMICAL RESISTANCE

Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

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 1. a Final Action under 37 CFR 1.113, or
 2. a Notice of Allowance under 37 CFR 1.311,whichever occurs first.

Also submitted herewith is:

a certification as specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
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Docket No.

5661

In Re Application Of: JOHN M. KRAJNIK, KEITH R. OLESEN, GERALD A. VANDEZANDE

Serial No.

09/437,171

Filing Date

11/9/1999

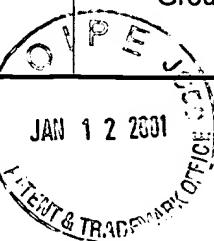
Examiner

Group Art Unit

1713

Title:

WATERBORNE COATING HAVING IMPROVED CHEMICAL RESISTANCE



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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11 Midland Bldg. - Legal Dept.
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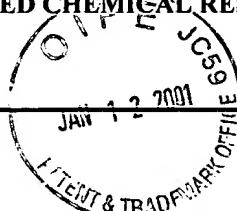
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Docket No.

5661

Serial No.
09/437,171Filing Date
11/9/1999

Examiner

Group Art Unit
1713Invention: **WATERBORNE COATING HAVING IMPROVED CHEMICAL RESISTANCE**

I hereby certify that the following correspondence:

Transmittal of Information Disclosure Statement (in duplicate), an Information Disclosure Statement, Form PTO-1449 and references*(Identify type of correspondence)*

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